

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ANGELA BRANDT,
on behalf of herself and
all others similarly situated,,

Case No. 16-cv-1588-pp

Plaintiff,

v.

WSB-GRAFTON, INC.,
WSB OAK CREEK RESTAURANT LLC,
WSB LAKE COUNTRY INC.,
ROBERT C. SCHMIDT JR., and
WATER STREET BREWERY INC.,

Defendants.

**ORDER APPROVING JOINT STIPULATION FOR CLASS CERTIFICATION
PURSUANT TO FED. R. CIV. P. 23 (DKT. NO. 70), AND GRANTING JOINT
MOTION FOR PRELIMINARY APPROVAL OF CLASS AND COLLECTIVE
ACTION SETTLEMENT (DKT. NO. 67)**

The parties have filed a Joint Motion for Preliminary Approval of Class and Collective Action Settlement. Dkt. No. 67. They have attached their settlement agreement (dkt. no. 67-1), and have explained how they reached the settlement and the reasons they believe that the settlement is fair and reasonable (dkt. nos. 68 and 69). The parties also applied the Rule 23(a) and (b) standard to the proposed class of servers employed by the defendants between November 29, 2014 and April 27, 2017 (whose names appear on Exhibit A to the Settlement Agreement and Release). Dkt. Nos. 68, 68-2.

The court **FINDS** that the settlement agreement is fair and reasonable, **GRANTS** the Joint Motion for Preliminary Approval of Class and Collective Action Settlement (dkt. no. 67), and **APPROVES** the parties' joint stipulation to certify a class under Fed. R. Civ. P. 23, dkt. no. 70.

The court **APPOINTS** Angela Brandt as class representative of the Fed. R. Civ. P. 23 Class, and Hawks Quindel, S.C. as class counsel under Fed. R. Civ. P. 23(g).

The court **FINDS** that the parties' notice of class action settlement (dkt. no. 67-3) constitutes valid, due, and sufficient notice for distribution to the Rule 23 Class, and **ORDERS** that:

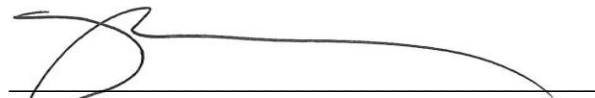
1. Class Counsel shall mail the Notice of Class Action Settlement, attached as dkt. no. 67-3 (Exhibit C), to the Class Members within seven days of the date of this order.
2. Any individual who wishes to exclude him or herself from the Rule 23 Settlement must opt out per the instructions in the Notice of Class Action Settlement within thirty days of the mailing of that notice.
3. Any individual who does not exclude him or herself from the Rule 23 Settlement shall be bound by the court's Order Finally Approving Settlement.
4. Any Class Member who wishes to object in any way to the proposed settlement agreement must file and serve such written objections per the instructions in the Notice no later than thirty days after the mailing of the Notice, together with copies of all papers in support of his or her position.

5. The court has scheduled a Fairness Hearing for October 11, 2017 at 9:00 a.m. Courtroom 225, in order for the court to make its determination as to the final approval of the settlement agreement and the amounts to be paid as to class counsel as attorneys' fees and costs, and to hear the objections of any Rule 23 Class Member who validly objected to the settlement agreement as provided in the notice.

6. Class counsel shall file a motion for approval of attorneys' fees and costs on or before September 30, 2017. Any supplemental brief in support of final approval of the settlement agreement or in response to any objections to the application for attorneys' fees must be filed at least seven days before the fairness hearing.

Dated in Milwaukee, Wisconsin this 2nd day of August, 2017.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
United States District Judge